

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARCUS SPEARMAN,
Petitioner,

No. C 15-6053 WHA (PR)

ORDER OF DISMISSAL

v.

PEOPLE OF THE STATE OF
CALIFORNIA,

Respondent.

On December 24, 2015, petitioner, a prisoner of the State of California, filed petition for a writ of habeas corpus. That day, the clerk notified him that he had neither paid the filing fee nor filed an application to proceed in forma pauperis ("IFP"). The notice informed petitioner that the case would be dismissed if he did not pay the fee or file a completed IFP application within twenty-eight days. No response has been received. As more than sixty days have passed since the deficiency notice, and petitioner has not paid the filing fee, filed a completed IFP application, or shown cause for his failure to do so, this case is **DISMISSED** without prejudice to petitioner filing a habeas petition in a new case in which he either pays the filing fee or files a completed IFP application.

The Clerk shall enter judgment and close the file.

IT IS SO ORDERED.

Dated: March 1, 2016.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE